

REMARKS

The Office Action dated July 30, 2003, rejected claims 1-40. Claims 1, 13, 20 and 29 have been amended and new claims 43-46 have been added. Applicants wish to thank the Examiner for the thorough response to Applicant's arguments in the Office Action. In light of the most recent amendments, Applicant's respectfully assert that the claims are now in allowable form. Applicants request reconsideration and withdrawal of the Examiner's rejections, and allowance of the subject application.

Claim Amendments

Claims 1, 13, 20 and 29 have been amended to recite the additional limitation that the preset specification set be selectable based upon the user's family profile (see, for example, specification pg. 28, line 13, through pg. 29, line 2). As stated in the specification, one purpose of the present invention is to make selection of the current content-based specification set more simple for the user. To do this, the manufacturer includes a preset content-based specification set in permanent memory. This preset can be enabled by the user without the need to manually select content settings beforehand. By making the preset selectable based upon a family profile, the user simply selects the appropriate V-chip preset according to his or her family's profile, and is provided with a simple and expedient implementation of V-chip control over the family's viewing experience. The Applicant's respectfully submit that the cited references do not teach, suggest or disclose the elements of the amended claims.

Claim Rejections Under 35 U.S.C. § 102

Claims 29-32, 34-36 and 39 have been rejected under 35 USC 102(b) as being anticipated by Abecassis (USPN 5,684,918). Claim 29 has been amended to require accessing a V-chip menu system (see, for example, specification Figure 5, "V-chip main menu 156").

Abecassis does not teach, suggest or disclose a V-chip based menu system as required by claim 29. Conversely, Abecassis discloses a content-on-demand architecture that uses a pointcast and variable content design to acquire content based on a user's preferences. Abecassis

makes it very clear that the content-on-demand architecture is distinctly different and entirely unrelated to V-chip technology. In fact, Abecassis goes so far as to say that V-chips are “conceptually obsolete” and rendered “inferior in every respect” to the pointcast-based content-on-demand architecture (Abecassis, col. 3, line 66 through col. 4, line 8). Because Abecassis does not disclose accessing a V-chip menu system, and clearly teaches away from the use of V-chips, Applicant’s submit that claim 29 is in condition for allowance.

Claim Rejections Under 35 U.S.C. § 103

A. Kim (USPN 5,995,133)

Claims 1-9 and 11-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kim. For the following reasons, Applicants submit that Kim does not teach, suggest or disclose all of the elements of independent claims 1 and 13.

First, Claims 1 and 13 have been amended to recite the additional limitation that the preset specification set be selectable based upon a family profile (see, for example, specification pg. 28, line 13, through pg. 29, line 2). For instance, in one example embodiment, there is preset labeled PRETEEN SETTING that allows viewing of only those programs deemed suitable for a preteen. For a family having a preteen child, or for a user wishing to allow only programs suitable for a preteen, selection of this setting allows quick and efficient enablement of the V-chip. Conversely, Kim discloses nothing more than a list of TV ratings, movie ratings and subject matter (Kim, Figure 10) requiring manual configuration by the user to enable the V-chip settings to fit the user’s family profile. Kim does not teach, suggest or disclose a preset specification set selectable based upon the user’s family profile as claimed in claims 1 and 13.

Second, the Action states that it would have been obvious to have modified Kim such that one or more preset specification sets would have been previously stored by the manufacturer in permanent memory. The Action states that “one of ordinary skill in the art would have been led to make such a modification since many consumer electronics devices come manufactured with preset content-based specification sets already stored in permanent memory” (Office Action, last paragraph page 10, continuing to page 11). The Applicants respectfully assert that this statement

is entirely without support, and that this element is in fact new and non-obvious. The Action failed to cite any reference that teaches, suggests or discloses the claimed element. Instead, the Action relies on a blanket statement of what is known in the art, without any supporting references whatsoever. Furthermore, as the Action acknowledges, Kim makes it a requirement that the user must eventually select the "TABLE" option in order to select a ratings setting, or the process will continue looping in S230 & S232 (Action, page 2). Therefore, Kim explicitly teaches away from having the manufacturer previously store a preset setting in permanent memory by requiring the user to do the opposite - manually configure the settings through a selection menu before operating the V-chip.

Finally, the Applicants assert that Kim does not disclose a preset specification set which comprises a rating and a subject matter category as claimed in claims 1 and 13. The Applicant acknowledges that considerable discussion has taken place on this issue in both the Applicant's Supplement to Submission mailed April 21, 2003, as well as the Office Action mailed July 30, 2003. However, the Applicants respectfully assert that the disclosure in Kim is simply too vague to anticipate independent claims 1 and 13. The Action characterizes Kim too broadly when reaching the conclusion that Kim anticipates the claimed invention. Because Kim is too vague and ambiguous to serve as an anticipating reference, the Applicants assert that claims 1 and 13 are allowable.

More specifically, the Action states that "any one of, some of, or all of the age rating and content rating codes may be selected to be set for blocking" and cites Figure 11 in support (Action, middle of page 10). There is no disclosure in Kim which can support this statement. Neither Figure 11 nor the disclosure within Kim that makes reference to Figure 11 (col. 6, lines 1-20), supports this statement, either inherently or explicitly. Kim states that there are two axes in Figure 11 corresponding to a rating and subject matter and Kim defines each axis as a rating code. Kim then only goes so far as to state that "the user sets one rating code on the table using the cursor," and this then sets the rating code, which blocks programs that are out of scope (col. 6, lines 13-15). Kim only devotes two sentences to explaining the operation of Figure 11, and the meager discussion simply cannot enable one of skill in the art to practice the claimed invention.

For instance, Kim fails to show the cursor in Figure 11, and fails to show where the cursor can be navigated. In addition, to which “rating code” does Kim refer when stating “the user sets one rating code”? Kim ambiguously defines both the horizontal and vertical axes as rating codes. Therefore, one of skill in the art is led to believe that either a rating, or a subject matter can be selected, but not both, because Kim states that the user only sets one. In addition, the fact that only a TV rating and a movie rating are depicted in the menu of Figure 10, and no selected subject matter is depicted, supports the conclusion that Kim only teaches the selection of one TV rating code in Figure 11.

The Action asserts that the statement by Kim that “ratings . . . are classified according to age and television program’s contents” anticipates claims 1 and 13 (Action, top of page 10). However, this statement by Kim is both vague and taken out of context. The Applicants respectfully assert that the statement by Kim, taken in context, refers to the standard FCC ratings (TV-Y, TV-Y7, TV-G, TV-PG and TV-14). First, each of these FCC ratings is based on age and television program contents. For instance, TV-Y7 could be geared to children under 7 and programs containing fantasy violence. Second, just one sentence after the above statement, Kim explicitly states that the user can only select from these “ratings: (TABLE, TV-Y, TV-Y7, TV-G, TV-PG and TV-14)” (col. 6, lines 6-7). Therefore, it is clear that when making reference to the term “rating,” Kim is referring to the standard FCC ratings as being classified according to age and contents, and not any preset specification set comprising a rating and a subject matter category as claimed. Furthermore, in the statement relied on by the Action, Kim explicitly refers to age and contents - not a rating and subject matter. Because a rating is not defined only by age, and for the reasons stated above, the Applicants respectfully assert that Kim does not teach, suggest or disclose the elements of claims 1 and 13.

B. Collings (USPN 5,828,402)

Claims 20-28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Collings. For the following reasons, the Applicants submit that Collings does not teach, suggest or disclose all of the elements of independent claim 20.

Claim 20 has been amended to recite the additional limitation that the preset specification set be selectable based upon a family profile (see, for example, specification pg. 28, line 13, through pg. 29, line 2). For instance, in one example embodiment, there is preset labeled PRETEEN SETTING that allows viewing of only those programs deemed suitable for a preteen. For a family having a preteen child, or for a user wishing to allow only programs suitable for a preteen, selection of this setting allows quick and efficient enablement of the V-chip. Collings, to the contrary, only discloses preferences selectable based on the content or a rating of the program and does not teach, suggest or disclose a preset specification set selectable based upon the user's family profile as claimed in claims 1 and 13.

In addition, the Action states that it would have been obvious to have modified Collings such that one or more preset specification sets would have been previously stored by the manufacturer in permanent memory. The Action states that "one of ordinary skill in the art would have been led to make such a modification since many consumer electronics devices come manufactured with preset content-based specification sets already stored in permanent memory" (Office Action, first paragraph page 14). The Applicants respectfully assert that this statement is without support, and that the claimed element is new and non-obvious. The Action failed to cite any reference that teaches, suggests or discloses the claimed element. Instead, the Action relies on a blanket statement of what is known in the art, without any supporting references whatsoever.

CONCLUSION

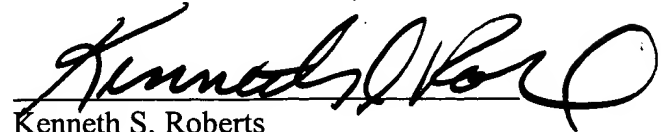
Therefore, because the cited references fail to teach, suggest or disclose all the elements of amended claims 1, 13, 20 and 29, the Applicants respectfully assert that these claims are in condition for allowance. Furthermore, as dependent claims 2-12, 14-19, 21-28 and 30-46 depend from these independent claims, the Applicants submit that these dependent claims are in like condition for allowance. Based upon the foregoing remarks, a favorable action is respectfully solicited. Should the Examiner have any questions or comments, the Examiner is invited to call the undersigned at (949) 567-6700.

Respectfully submitted,

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